

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:  
Fosamax Products Liability Litigation  
Robert Uhrey,

Plaintiff,

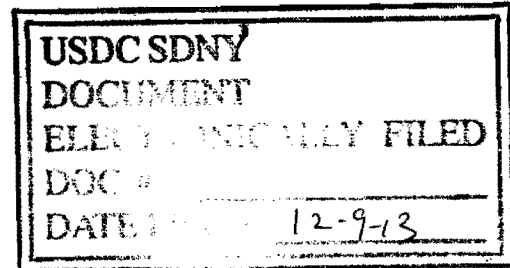
v.

MERCK SHARP & DOHME CORP. (f/k/a  
MERCK & CO., INC.); and COBALT  
LABORATORIES, INC.,

Defendants.

1:06-md-1789 (JFK)

Case No.: 1:11-cv-03936-JFK



**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff in the above-captioned case, Robert Uhrey, and Defendant Cobalt Laboratories, Inc., through their respective undersigned counsel, that this case is hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a) as to Defendant Cobalt Laboratories, Inc. only. Each party is to bear its own costs and attorneys' fees.

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*Merck Sharp & Dohme Corp.*

Dated: December 5, 2013

SO ORDERED:

*John F. Keenan*

HONORABLE JOHN F. KEENAN, U.S.D.J.

Dated:

*12/9/13*